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DEPUTY STARK OF TORONTO ON THE THIRD DEGREE

dishonesty should proceed unflinchingly. This is a necessary clearing of the ground.

But clearing the ground is less than half the task. After that must come constructive work, the thorough reorganization of the police department on new lines. This will take time and a bitter fight. Success will depend largely upon the man chosen to be head of the department. But supported, as such a man, we believe, will be, by Mayor Harrison, and assured of time to accomplish his work thoroughly, he can destroy, so far as Chicago is concerned, the most persistent evil in American municipal government.

The report is reproduced in part in this issue.

R. H. G.

The Man at the Top of the List.—The *Chicago News* under date of December 11, 1911, comments under the above title upon a recent order of Mayor Harrison with reference to the making of promotions in the police department of Chicago. He has advised the general superintendent of police that in each instance the man whose name stands at the top of the civil service list of eligibles shall be chosen for promotion. Such a procedure, he points out, "will aid in removing political influence from control of the police department because men will know their promotions will depend upon their own fitness and not upon any outside influence which may be brought to bear in their behalf."

Hitherto appointments have been made from among the three persons whose names stand at the top of the list of eligibles. This practice has arisen because of the conviction that it would not be possible in every case to select an entirely efficient candidate by means of the tests in vogue and consequently the head of a department was given some leeway. The plan developed disadvantages. It has not eliminated the influence of personal favor. It gives the appointing officer opportunity to secure agreements from persons about to be appointed. It prepared a field for blackmail.

When men in the police service have it proven to them that fitness instead of influence is absolutely efficient in determining promotion the results will be salutary.

R. H. G.

Deputy Chief Stark of Toronto on the "Third Degree."—Deputy Chief Stark, in a strong article on "Police Methods and Their Critics," in the August, 1911, number of the *International Police Service Magazine*, assails the popular ideas on the "third degree" and those lawyers whose main ability consists in deriding witnesses, distorting evidence and even insulting their opponents with impunity. He claims that popular knowledge of the "sweatbox" is such that few could define the difference between it and a "soapbox," although they would gladly join in condemning it. Newspapers are often only too willing to dilate upon the supposed horrors of this system of obtaining evidence. I have seen the actual operation of a "third degree" case which obtained a complete confession of two criminals engaged in a variation of the "green goods" game within eight hours after the case was reported. The police worked upon the basis of two words carelessly dropped by the first two men arrested in regard to the third, who was the leader of the plot. Only once during the whole examination was a voice raised above a conversational tone, and then to forbid the prisoners talking further in a foreign tongue. In another case the confession of a stubborn juvenile was obtained only by strapping him in a surgeon's operating chair and ordering another officer to "turn the current on

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slowly at first." The result was the breaking up of a dangerous gang of burglars and transom workers. I think that anybody objecting to such methods is either criminal himself or quite too soft-hearted for a police critic.

The sarcastic and glib lawyers surely ought to be squashed at every opportunity, for not only do they add to the growing contempt of the courts, but decrease the willingness, small at any time, of private citizens to testify in court, and to make still more disagreeable the task of enforcing the law which every police officer finds is approved loudly in general and as loudly scoffed at in particular.

GEORGE H. McCaffery.

MISCELLANEOUS.

A Correction. In my editorial in the January number of this Journal, on Judicial Discretion versus Legislation in Determining Defendants Suitable for Probation, the range of offenses to which the Illinois Adult Probation Law applies was for some reason mis-stated, although I had carefully read the law and remember its provisions perfectly as I first read them. I wish to have the provisions stated correctly in this place as follows:

All violations of municipal ordinances where the offense is also a violation, in whole or in part, of a statute.

All misdemeanors, except as hereinafter limited.

The obtaining of money or property by false pretenses, where the value thereof does not exceed two hundred dollars (\$200).

Larceny, embezzlement and malicious mischief where the property taken or converted or the injury done does not exceed two hundred dollars (\$200) in value.

Burglary, where the amount feloniously taken does not exceed two hundred dollars (\$200) in value and the place burglarized was a place other than a business house, dwelling or other habitation.

Attempt to commit burglary when the place attempted to be burglarized was a place other than a business house, dwelling or other habitation.

Burglary, when the burglar is found in a building other than a business house, dwelling or other habitation.

A. W. T.

Program of the First Annual Meeting of the Illinois State Society of the American Institute, Thursday and Friday, May 9 and 10, at the School of Pharmacy Building of the University of Illinois, Twelfth street and Michigan boulevard, Chicago:

Annual address by the President, O. A. Harker, Dean, University of Illinois Law School, Urbana.

Crime conditions in Illinois: Evidences of the increase of crime, if any; the need of more adequate criminal and judicial statistics in Illinois; causes for crime and suggested remedies.

Paper by Professor Charles R. Henderson, University of Chicago.

Discussion by Nathan William MacChesney of the Chicago Bar, and Robert H. Gault.

Existing methods of dealing with juvenile delinquents in Illinois. Suggestions for possible improvements.

Paper by Clyde E. Stone, Judge, County Court, Peoria.

Discussion by Harry E. Smoot of the Chicago Bar; Richard S. Tuthill, Judge, Cook County Circuit Court, Chicago.